

PTO/SB/03 (08-00)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 122, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/755,874
Filing Date	Jan 05, 2001
First Named Inventor	Liu
Group Art Unit	2122
Examiner Name	GROSS, KENNETH A
Attorney Docket Number	MS1-710US

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OCT 27 2004

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50082 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1293 Off. Gaz. Pat. Office 67 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted  
Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 8/25/04  
i. ☒ (Any unentered amendment(s) referred to above will be entered).  
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed  
i. ☐ Amendment/Reply  
ii. ☐ Affidavit(s)/Declaration(s)  
iii. ☐ Information Disclosure Statement (IDS)  
iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(d) required)
- b. ☐ Other \_\_\_\_\_
3. ☒ **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0789  
i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
ii. ☐ Extension of time fee (37 C.F.R. §§ 1.138 and 1.17)  
iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2003 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brian G. Hart	Registration No. (Attorney/Agent)	44,421
Signature	<i>Brian G. Hart</i>	Date	10-27-04

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent Office on:

Name (Print/Type)	LeAnn Sassman	Date	10/27/04
Signature	<i>LeAnn Sassman</i>		

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